

REMARKS/ARGUMENTS

Summary of the Action:

- Claims 17-18 and 21-26 are rejected under 35 U.S.C. § 102(b) as being anticipated by Barea (EP-0489307).
- Claims 19-20 and 27-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Barea (EP-0489307).
- Claims 29 and 31-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Barea (EP-0489307) in view of Memminger et al. (US-4953367).
- Claim 30 is objected to as being dependent upon a rejected base claim, but would otherwise be allowable.

Allowable Subject Matter

Claim 30 is objected to as being dependent upon a rejected base claim, but would otherwise be patentable. Parent claim 29 has been amended herein to incorporate the limitations of claim 30. No new matter is added and no new issues are raised. It is respectfully submitted that claim 29 and its dependent claims are now patentable pursuant to the notice of allowable subject matter.

Rejections under 35 U.S.C. §§ 102 and 103

Regarding the rejections of the claims under 35 U.S.C. §§ 102 and 103, applicants submit the following comments. Claims 17 and 29 are independent. Since claim 29 has been amended to encompass allowable subject matter, these remarks will focus primarily on claim 17.

As previously discussed, the method of claim 17 entails (1) a Tension-Regulated Trial Phase, during which operational yarn feeding parameters are derived, and (2) a subsequent Operational Phase during which the derived operational yarn feeding parameters are used.

Also as previously discussed, a “tension-regulated” phase is a phase wherein tension is maintained at a certain value. *See* page 15, lines 5-10. Barea CLEARLY fails to teach a tension

controlled trial phase, and indeed it appears that the first stage of Barea is not tension-regulated. *See* Barea at 4:47-65. Indeed, the yarn *speed* is measured in Barea, not the yarn tension.

The Action points to Barea's discussion of tension sensors (elements 31 and 32) as teaching operation in a "tension regulated" mode; however, this is plainly not accurate. It is true that the sensors *sense* tension, but they do so only to detect abnormalities and monitor for breakage (*see* Barea, 7:13-18), not to execute a tension regulated phase. Indeed, most of column 7 in Barea is devoted to discussing how the sensors 31, 32 are used to *stop* the machine in the event of breakage, not to provide tension-regulated operation.

If there is any doubt on this point, please see Barea at 4:1-18. Here, Barea discusses the sensors used in each phase. Notably, the tension sensors 31 and 32 are not mentioned.

SUMMARY REGARDING CLAIM 17: Barea's teaching of tension sensors is related to detecting abnormalities so that the machine can be halted. Nowhere does Barea discuss tension regulation. Sensing a parameter is not the same as regulating that parameter. Consider your car speedometer, which senses your speed, but does not regulate it.

Thus, Barea clearly fails to teach a tension-regulated mode, and for that reason cannot anticipate claim 17 or its dependent claims.

Conclusion

It is respectfully submitted that Barea does not teach each element of pending claim 17. Thus, favorable reconsideration of claims 17-28 is requested. Moreover, since claim 29 has been amended to include only allowable subject matter, favorable reconsideration of claims 29-32 is also requested.

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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